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Said the mussy little dropper to the leaky rubber sac;

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DUNN-PEN

DEATH IN SALMON CANNED FOR ARMY

Firing Squad Deserved by Packers, Says Report Submitted to Harding.

SUITS TO BE ENTERED

Malefactors Got Big Concessions in Money When Fish Were Returned.

WAR DEPARTMENT LAX

Of 39,232,032 Cans Examined 5,013,120 Were Found to Contain Spoiled Goods.

Special Despatch to THE NEW YORK HERALD, New York Herald Bureau, Washington, D. C., May 11.

In its investigation of graft charges in connection with the purchase of army supplies during the war and the resale of surplus stock, the Department of Justice is considering legal steps to recover from salmon cannery companies money received through concessions obtained from the War Department in the return of \$3,490,180 worth of salmon, much of which was found to be rotten, and also the institution of criminal proceedings against cannery men who packed and sold or attempted to sell adulterated salmon to the Government.

All evidence in these cases gathered by the Graham committee in the last Congress has been laid before President Harding and Attorney-General Daugherty, along with evidence bearing on the so-called harness scandal and alleged graft in connection with the construction of army camps and cantonments.

"The course of action on the part of the War Department in connection with the purchase of the 1918 pack of salmon and the contract entered into with the packers with reference to its return, would indicate fraud on the part of the packers," reads the official committee summary of this evidence, "and pathetic tenderness on the part of officials of the War Department toward those who sought to defraud."

"It is incredible even in time of war for the War Department to accept canned salmon that if eaten by our soldiers probably would have resulted in their death, especially in view of the fact that the War Department had noticed that rotten fish were being packed. The cannery men who packed it, knowing it was intended to be eaten by our soldiers, should have been brought before a firing squad; that would have been a mild method of dealing with them; but the War Department, knowing the fact, did not even ask that they be prosecuted under the available criminal laws."

Representative Graham (Ill.), chairman of the committee, holds that even if the War Department had no knowledge of any fraudulent or criminal acts on the part of the packers it is inconceivable that when it was discovered that 5,013,120 cans of 39,232,032 examined by the Bureau of Chemistry contained rotten fish, the War Department should go to the packers "on bonded knee" and say "you have given us rotten fish; won't you take it all back? If you will we will sell it back to you at a price that will enable you to make a huge profit."

The War Department's excuse was that the packers' guaranty covered only "spoilage" and "swells" and not rotten fish; that the time was fixed within which these might be returned and that if some arrangement was not made before that time there was no redress from the packers.

The concessions made by the War Department to the packers were in part the cost of strapping the original cases, the cost of labor and material for re-casing and freight both ways. Furthermore, the cannery men were allowed six months in which to "accept" the returned goods; no charge to be made for interest and storage.

Rebates to the packers were more than \$460,000, not counting the freight already paid by the Government, the handling of the orders given by the packers for shipments and the storage.

R. E. TOD COMMISSIONER OF IMMIGRATION HERE

Agrees to Accept Post and Will Go to Geneva.

It was announced yesterday that Robert E. Tod, financier and philanthropist, had promised to accept the post of Commissioner of Immigration at this port to succeed Frederick A. Wallis. He will confer with Secretary Davis and Secretary Hoover in this city to-morrow. It has been decided that he shall represent the United States at the Immigration Conference to be held in Geneva.

The local and the State organization united in recommending his appointment to President Harding. He served with distinction as a commander in the navy during the war. It is related of him that he was able to turn the Leviathan around in a particularly tight place when several other officers had failed.

EX-SERVICE MEN QUIT HOSPITAL AT SARANAC

Object to Poor Quarters and Treatment.

Tubercular ex-service men sent to Saranac Lake to be cared for by the United States Public Health Service are housed in such poor quarters and receive such treatment, according to a report made yesterday by American Legion investigators, that many of them have left and out of the Government allowances are maintaining themselves at other hospitals. The report showed, Col. C. W. Wickham, chairman of the investigating committee, announced, that only seventy-six of the 125 beds are occupied.

Col. J. O. Cobb, director of the Fox Hills Hospital on Staten Island, following the American Legion investigation there, said he was willing to send some of the patients to Saranac Lake, but suggested first that the conditions there be investigated. The members of the committee who went to Saranac Lake found several other buildings available suitable for use by former service men.

HARDING O. W. S. N. Y. MAY.

WASHINGTON, May 11.—Appointment of W. W. Hoppin of New York as Assistant Attorney-General in charge of customs, that may be recommended to President Harding to-day by Attorney-General Daugherty.

Washing of Blue Dress Leads to Divorce Decree

Special Despatch to THE NEW YORK HERALD, New York Herald Bureau, New York, D. C., May 11.

CHICAGO, May 11.—The tale of a little blue dress and a washing given to it helped win a decree of divorce and \$24,000 lump alimony for Mrs. Margaret Molter Cory, from Marcus Maurice Cory.

"It was just a cheap little thing and I tried to wash it myself," said Mrs. Cory. "But it shrank. It was clear up to my knees, and I couldn't wear it. Then my husband slapped me and said that my extravagance was ruining him."

5 DID THEIR BIT OF 31 IN SLACKER LIST

One Other Died of Tuberculosis; Another Insane for Eight Years.

A list of thirty-one alleged slackers reported by local boards for division 72 was made public by headquarters 19, The Bronx, and for division of the Second Army Corps at Governors Island, but investigation showed that three of the men named served in the navy, one with the American Red Cross and one with English troops, while one is dead from tuberculosis and one is in the insane asylum. The others could not be located.

Morris Rosenkrantz, 24, of 3758 Third avenue, named in the list, said he enlisted in the navy at the Brooklyn Navy Yard on July 17, 1918. He produced an honorable discharge dated May, 1919, and said he crossed the ocean seven times on the steamship Princess Matka as a first class cook.

Harry Selden, 23, 459 Claremont Parkway, was defended by Miss Pauline Feldman, living at that address. Miss Feldman said that although Selden had no information as to his whereabouts since he had moved away about two years ago she was certain he had been in the navy as a member of a destroyer's crew and later was honorably discharged.

Isadore Hochberg, 23, 1522 Webster avenue, was not at home last night, but neighbors who knew the family said he served on a battleship in the war and had been honorably discharged.

Dave C. Goodwin, 20 Menahan street, Brooklyn, is said to have lived at that place, but moved to England four years ago. The present occupant of the apartment, Mrs. J. Knoll, is sure he served with the English army.

Egon Heineman, 22, living at 269 Brooker street, Brooklyn, said he was a Swiss when war was declared and by the United States and registered for military service with the American Consul at Basel, Switzerland. According to Heineman, he left the receipt for his registration in that country. Soon after the declaration of war, he said, he joined the American Red Cross in Switzerland and served throughout the period of American participation and for two months after the signing of the armistice as purchaser and interpreter for the Red Cross.

Levine, Abraham or Abe, 1532 Webster avenue, whose name was listed, died in Fordham Hospital from tuberculosis about nine months ago, according to Mrs. Eva Rettinger, with whom he had boarded for more than three years. Mrs. Rettinger said last night that Levine was too ill to register for the draft and that his local board was notified at the time.

George Peifer, 419 Harman street, Brooklyn, is about 39 years old, and according to his mother, Mrs. Mary Peifer has been confined in the Kings Park Insane Asylum for the last eight years. He was listed as a slacker. Several men reported at Governor's Island yesterday after the publication of their names, among them Maurice Glenby, of 2067 Mohagan avenue, who exhibited a regular army discharge, showing service from 1914 to 1919. He was in the army in June, 1917, and did not register, he said.

Andrew McCarthy of 529 East 150th street, The Bronx, stated that he enlisted with the 165th Infantry and served until August 6, 1919. Anton Carl Jacobson declared he was never notified by the board to appear, although he had told them of his change of address to Seabright, N. J.

BERGDOLL'S GUARD DESCRIBES ESCAPE

Sergeant Tells House Committee of Meagre Instructions in Hunt for Pot of Gold.

Special Despatch to THE NEW YORK HERALD, New York Herald Bureau, Washington, D. C., May 11.

Meagre instructions were given to the two guards who were assigned by the Commandant of Governors Island to accompany G. C. Bergdoll, Philadelphia slacker, on the trip into western Maryland to hunt a pot of gold, testimony before the House Bergdoll committee to-day indicated. It was on this expedition that Bergdoll escaped and finally made his way to Germany.

Sergeant John O'Hare, one of the two guards, asserted that his instructions, received from Major John Hunt, in command of the military prison there, did not reveal to him that the slacker was being released to hunt a pot of gold.

"I was shown some letters, but my belief was that Bergdoll was going to Hagerstown to get some money from a bank there and take it to Philadelphia," O'Hare said. "I was told I would be given instructions by D. Clarence Gibbons, Bergdoll's lawyer, when I reached Philadelphia, and I acted according to those orders."

His testimony also revealed that only \$15 was given O'Hare to make the trip, a sum inadequate to pay the railroad fare of the two guards and Bergdoll to Hagerstown and return. O'Hare related

with tears in his eyes how he came back to Governors Island, empty handed, and with 15 cents in his pocket.

O'Hare asserted that he suggested to Major Hunt that he be allowed to handcuff the prisoner, but that the commandant said that would be "too conspicuous."

O'Hare told how Bergdoll rode from Jersey City to Philadelphia, without saying a word to his guards, "but chewing tobacco all the way." O'Hare indicated that his instructions were so indefinite that he did not feel at liberty to question several liberties Bergdoll took, because he understood that Mr. Gibbons would give all necessary orders.

"I thought this job was on the straight," said O'Hare, "and that we would be back in one or two days."

The sergeant said that for two days Bergdoll had not been out of his sight and that his escape came when he lost sight of him in a bathroom in the Bergdoll home for less than a minute.

He told how, before the escape, Bergdoll walked around a room of his home "reciting Shakespeare or something like that." He testified that he did not touch a gin bottle in the Bergdoll home and that he warned the other guard, Sergeant York, who had taken a drink, "to lay off that stuff."

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